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NOTICE OF ALLOWANCE AND FEE(S) DUE

67374

7590

07/16/2008

MORGAN, LEWIS & BOCKIUS, LLP ONE MARKET SPEAR STREET TOWER SAN FRANCISCO, CA 94105 EXAMINER
FREJD, RUSSELL WARREN
ART UNIT PAPER NUMBER

2128

DATE MAILED: 07/16/2008

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,818	04/08/2004	Max W. Durney	067441-5013US	9058

TITLE OF INVENTION: METHOD OF DESIGNING FOLD LINES IN SHEET MATERIAL

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1440	\$300	\$0	\$1740	10/16/2008

THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.

THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.

HOW TO REPLY TO THIS NOTICE:

I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.

PART B - FEE(S) TRANSMITTAL

Complete and send this form, together with applicable fee(s), to: Mail Mail Stop ISSUE FEE

Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450

(571)-273-2885 or <u>Fax</u>

INSTRUCTIONS: This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for

maintenance fee notifications. Note: A certificate of mailing can only be used for domestic mailings of the CURRENT CORRESPONDENCE ADDRESS (Note: Use Block 1 for any change of address) Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission. 67374 7590 07/16/2008 Certificate of Mailing or Transmission MORGAN, LEWIS & BOCKIUS, LLP I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below. ONE MARKET SPEAR STREET TOWER SAN FRANCISCO, CA 94105 (Depositor's name (Signature (Date APPLICATION NO. FIRST NAMED INVENTOR ATTORNEY DOCKET NO. CONFIRMATION NO. FILING DATE 10/821,818 04/08/2004 Max W. Durney 067441-5013US 9058 TITLE OF INVENTION: METHOD OF DESIGNING FOLD LINES IN SHEET MATERIAL APPLN. TYPE SMALL ENTITY ISSUE FEE DUE PUBLICATION FEE DUE PREV. PAID ISSUE FEE TOTAL FEE(S) DUE DATE DUE nonprovisional NO \$1440 \$300 \$0 \$1740 10/16/2008 **EXAMINER** ART UNIT CLASS-SUBCLASS FREJD, RUSSELL WARREN 2128 703-001000 1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363). 2. For printing on the patent front page, list (1) the names of up to 3 registered patent attorneys ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached. or agents OR, alternatively, (2) the name of a single firm (having as a member a ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. Use of a Customer Number is required. registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type) PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment. (A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY) 4b. Payment of Fee(s): (Please first reapply any previously paid issue fee shown above) 4a. The following fee(s) are submitted: lssue Fee A check is enclosed. Publication Fee (No small entity discount permitted) Payment by credit card. Form PTO-2038 is attached. The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number ______ (enclose an extra copy of this fo Advance Order - # of Copies _ (enclose an extra copy of this form). 5. Change in Entity Status (from status indicated above) a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ■ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2). NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office. Authorized Signature Date Typed or printed name Registration No. This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

PTOL-85 (Rev. 08/07) Approved for use through 08/31/2010.

OMB 0651-0033

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67374 75	90 07/16/2008		EXAM	INER
MORGAN, LEWIS & BOCKIUS, LLP ONE MARKET SPEAR STREET TOWER			FREJD, RUSSELL WARREN	
			ART UNIT	PAPER NUMBER
SAN FRANCISCO), CA 94105		2128	
			DATE MAILED: 07/16/200	8

Determination of Patent Term Adjustment under 35 U.S.C. 154 (b)

(application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 594 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 594 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (http://pair.uspto.gov).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

	Application No.	Applicant(s)
	10/821,818	DURNEY ET AL.
Notice of Allowability	Examiner	Art Unit
	Pussell Freid	2128
	Russell Frejd	2128
The MAILING DATE of this communication apperall claims being allowable, PROSECUTION ON THE MERITS IS herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RI of the Office or upon petition by the applicant. See 37 CFR 1.313	(OR REMAINS) CLOSED in this ap or other appropriate communication GHTS. This application is subject t	plication. If not included n will be mailed in due course. THIS
1. \boxtimes This communication is responsive to <u>the amendment recei</u>	<u>ved 17 January 2008</u> .	
2. ☑ The allowed claim(s) is/are <u>1-40</u> .		
 3. ☐ Acknowledgment is made of a claim for foreign priority ur a) ☐ All b) ☐ Some* c) ☐ None of the: 1. ☐ Certified copies of the priority documents have 		
2. ☐ Certified copies of the priority documents have		
3. ☐ Copies of the certified copies of the priority does	• • • • • • • • • • • • • • • • • • • •	
International Bureau (PCT Rule 17.2(a)).	sumerite have been received in time	national otago application from the
* Certified copies not received:		
Applicant has THREE MONTHS FROM THE "MAILING DATE" noted below. Failure to timely comply will result in ABANDONM THIS THREE-MONTH PERIOD IS NOT EXTENDABLE. 4. A SUBSTITUTE OATH OR DECLARATION must be subm	IENT of this application.	
INFORMAL PATENT APPLICATION (PTO-152) which give		
5. \square CORRECTED DRAWINGS (as "replacement sheets") mus	et be submitted.	
(a) \square including changes required by the Notice of Draftspers	•	-948) attached
1) ☐ hereto or 2) ☐ to Paper No./Mail Date		
(b) ☐ including changes required by the attached Examiner's Paper No./Mail Date	s Amendment / Comment or in the C	Office action of
Identifying indicia such as the application number (see 37 CFR 1 each sheet. Replacement sheet(s) should be labeled as such in the		
6. DEPOSIT OF and/or INFORMATION about the deposit attached Examiner's comment regarding REQUIREMENT		
Attachment(s) 1. ☐ Notice of References Cited (PTO-892)	5. ☐ Notice of Informal F	Patent Application
Notice of Preferences Gled (110-032) Notice of Draftperson's Patent Drawing Review (PTO-948)	6. ☐ Interview Summary	• •
3. ☑ Information Disclosure Statements (PTO/SB/08),	Paper No./Mail Da 7. ⊠ Examiner's Amendi	te
Paper No./Mail Date <u>6.19.08</u> 4. Examiner's Comment Regarding Requirement for Deposit		ent of Reasons for Allowance
of Biological Material	9.	

Application/Control Number: 10/821,818

Art Unit: 2128

Allowance of Application # 10/821,818

Page 2

1. The following communication is in response to applicant's amendment received 17-January-2008. Claims 1-40 are pending in the application.

Examiner's Amendment

2. An Examiner's Amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 C.F.R. 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the Issue Fee. Authorization for this Examiner's Amendment was given by Victor Johnson (Reg. No. 41,546) on 19-June-2008.

2.1 In the Claims:

Claim 14 line 2 Change "system for designing" to --system, which when executed on a computer, causes the computer to design--.

line 10 Change "in a computer-readable medium" to --in the computer-readable medium--.

Claim 24 line 2 Change "system for designing" to --system, which when executed on a computer, causes the computer to design--.

2.2 In the Specification:

Section [0001] line 4 Change "FORMING THE SAME," to --FORMING THE SAME and now U.S. Patent No. 7,152,450,--.

Section [0001] line 9 Change "SHEET THEREFOR," to --SHEET THEREFOR and now

U.S. Patent No. 7,152,449,--.

line 12 Change "FABRICATION PROCESS," to --FABRICATION PROCESS and now U.S Patent No. 6,877,349,--.

Section [0033] line 13 Change "FABRICATION PROCESS," to --FABRICATION PROCESS and now U.S Patent No. 6,877,349,--.

line 17 Change "SHEET THEREFOR," to --SHEET THEREFOR and now U.S. Patent No. 7,152,449,--.

line 20 Change "FORMING THE SAME," to --FORMING THE SAME and now U.S. Patent No. 7,152,450,--.

Reasons for Allowance

- 3. The following is an Examiner's Statement of Reasons for the indication of allowable subject matter.
- 3.1 Claims 1-40 are considered allowable, since when reading the claims in light of the specification, as per MPEP § 2111.01, none of the references of record alone or in combination disclose or suggest the combination of limitations specified in independent claims nos. 1, 11, 14, 24, 27, and 38, including:

In regard to claims 1, 14 and 27, input means for defining said desired fold line in a parent plane on a drawing system; and computing means for populating said fold line with a fold geometry including a series of cut zones that define a series of connected zones configured and positioned relative to said fold line whereby upon folding said material along said fold line produces edge-to-face engagement of said material on opposite sides of the cut zones [defined at sections 0007, 0048-0052, 0056].

In regard to claims 11, 24 and 38, storing a plurality of cut zone configurations and connected zone configurations having differing physical characteristics; defining a desired fold line in a parent plane on a drawing system; selecting a preferred zone which has a desired shape and scale, wherein said zone comprises a member from the group of a cut zone, a connected zone, and combinations thereof; locating a preferred fold geometry along said fold line, said preferred fold geometry including said selected zone; and manipulating said preferred fold geometry to adjust at least one of said connected zones, whereby upon folding said material along said fold line produces edge-to-face engagement of said material on opposite sides of said cut zones, wherein said manipulating is selected from the group of relocating, rescaling, reshaping, and combinations thereof, and wherein said adjusting is selected from the group of displacing, adding, subtracting, and combinations thereof [sections 0008, 0041, 0044, 0058].

Dependent claims 2-10, 12, 13, 15-23, 25, 26, 28-37, 39, and 40 are deemed allowable as depending either directly or indirectly from independent claims 1, 11, 14, 24, 27, and 38.

- 3.2 The instant application is directed to a non-obvious improvement over the invention described in USP 6,640,605, issued to Gitlin, which discloses a method of bending sheet metal in which thinned regions are provided on either side of a bending line to form twisted portions; and USP 6,233,533, issued to Gupta, which discloses systems which may be integrated with CAD/CAM systems, including a system with various stations including a bending station that may include CNC and/or NC press brakes or other commercially available press brakes.
- 3.3 The art of record, either individually or in combination, fails to teach, suggest, or render obvious the specific arrangement of elements in the same combination as now required by the

Application/Control Number: 10/821,818 Page 5

Art Unit: 2128

amended claims. In view of the foregoing, the claims of the present application are found to be

patentable over the prior art.

Response Guidelines

4. Any comments considered necessary by applicant **MUST** be submitted no later than the

payment of the Issue Fee and, to avoid processing delays, should preferably accompany the

Issue Fee. Such submissions should clearly be labeled "Comments on Statement of Reasons

for Allowance".

4.1 Any response to the Examiner in regard to this allowance should be

directed to: Russell Frejd, telephone number (571) 272-3779, Monday-Friday

from 0530 to 1400 ET, **or** the examiner's supervisor, Kamini Shah, telephone number (571) 272-2279. Inquires of a general nature or relating to the status of this application should be directed to the

TC2100 Group Receptionist (571) 272-2100.

mailed to: Commissioner of Patents and Trademarks

P.O. Box 1450, Alexandria, VA 22313-1450

or faxed to: (571) 273-8300

Hand-delivered responses should be brought to the Customer Service Window, Randolph

Building, 401 Dulany Street, Alexandria, VA, 22314.

Date: 22-June-2008 /Russell Frejd/

Primary Examiner AU 2128